Comments from Nordic Model Now! on the draft CEDAW General Recommendation on TWGCGM

*May 2020*

# About us

Nordic Model Now! (NMN) is a UK secular feminist grassroots women’s group campaigning for the abolition of prostitution and for the Nordic Model, the equality and human rights approach to prostitution. All members are unpaid volunteers and the group includes survivors of prostitution. See <http://nordicmodelnow.org/> for more information.

# Summary

We applaud the CEDAW Committee on the breath-taking thoroughness of the draft General Recommendation on trafficking in women and girls in the context of global migration (TWGCGM).

We have a small number of specific comments and suggestions that we have set out below, under the relevant paragraph numbers.

# Paragraph 7

We suggest that the excerpt from Article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (the Palermo Protocol) is expanded to include points (c) and (d) so that it provides the definition in full.

# Paragraph 20

We believe that it is necessary to spell out that it is men’s demand for **prostitution** (and other forms of sexual exploitation) and the money that can be made therefrom that drives sex trafficking. We would therefore suggest that this paragraph is amended as follows (additions in ***red***):

“Trafficking in women is rooted in gender-based discrimination, gender-based structural inequality and the feminisation of poverty compounded by growing global inequalities and the demand for cheap and/or forced labour, ***and men’s demand for prostitution and other forms of sexual exploitation, including sexual ‘entertainment’ venues and pornography***. Women and girls continue to be the prime targets of traffickers, especially for the purpose of sexual exploitation, due to pervasive and persistent gender inequality resulting in an economic, social, and legal status that is lower in comparison than that which is enjoyed by men and boys.”

# Paragraph 25

**Sub-paragraph f) i**

As it stands, this paragraph implies that prostitution and other forms of sexual exploitation are forms of regular labour or services. The Palermo Protocol specifically separates out the exploitation of prostitution and other forms of sexual exploitation from forced labour and services – meaning that sexual exploitation cannot be considered to be regular labour or services.

We would therefore suggest that this paragraph is amended as follows:

A strategic response to address the economic and social context creating the demand ***for prostitution and other forms of sexual exploitation and*** for the labour and/or services of trafficked persons;

# Paragraph 26

This paragraph provides an excellent list of measures to address the root causes of trafficking. We would like to suggest an additional point that draws on the requirement set out in CEDAW Article 6 to suppress the exploitation of the prostitution of women. ‘Exploitation’ in this context means **profiting or otherwise benefiting** from women’s prostitution, as we explain in [this article](http://nordicmodelnow.org/facts-about-prostitution/fact-cedaw-requires-countries-to-fight-pimping/).[[1]](#footnote-1)

We therefore recommend an additional point as follows:

g) Combating the acceptance and acceptability of prostitution and other forms of sexual exploitation through measures, including legislation, against all forms of third-party profiteering from women’s prostitution, including online and offline advertising, and financial and other business-to-business services.

# Paragraph 27

This paragraph provides an excellent list of measures to discourage the demand that fosters the exploitation that leads to human trafficking.

Again, we believe that discouraging men’s demand for prostitution and other forms of sexual exploitation should be explicitly mentioned here. Experience in England and Wales has shown that legislation that penalises the purchase of sex only from people who’ve been trafficked or otherwise forced or coerced is [ineffective](http://nordicmodelnow.org/facts-about-prostitution/fact-its-illegal-in-england-and-wales-to-buy-sex-from-someone-whos-been-coerced/).[[2]](#footnote-2) This is hardly surprising because there is no separate market for prostituted women who have been trafficked. This is one of the strongest arguments for measures to discourage demand for **all** prostitution and sexual exploitation.

We would therefore suggest the first two sub-paragraphs are amended as follows:

a) Adopting or strengthening legislative and other measures to implement prevention techniques through educational, social or cultural measures, including in particular those targeted toward potential users of **prostitution and other forms of sexual exploitation, and** trafficked goods or services;

b) Where applicable, instituting penal legislation to sanction the users of **prostitution and other forms of sexual exploitation, and** **of** goods and services that result from trafficking in persons;

# Paragraph 50

We would like to suggest the addition of the word “sexual” between “male-centred” and “entertainment sector” so that there is no doubt what this is referring to. The second sentence would then read like this:

“A disproportionate number of migrant women are engaged in informal employment, particularly in the care and domestic sectors, the manufacturing and service sectors and in the male-centred ***sexual*** entertainment sector.”

# Conclusion

We are grateful to the CEDAW Committee for the work and effort it has put into this document, which will hopefully result in real and significant improvements in the lives of the most marginalised women and girls in the world.

1. http://nordicmodelnow.org/facts-about-prostitution/fact-cedaw-requires-countries-to-fight-pimping/ [↑](#footnote-ref-1)
2. http://nordicmodelnow.org/facts-about-prostitution/fact-its-illegal-in-england-and-wales-to-buy-sex-from-someone-whos-been-coerced/ [↑](#footnote-ref-2)